

REMARKS

Applicants have reviewed the application in view of the October 20, 2008 Office Action ("Office Action"). Claims 78-79 have been cancelled. Claims 38-47 and 76-77 have been withdrawn. Claims 1, 27, 28, and 48 have been amended. Claims 82-84 have been added, and Applicants submit that no new matter was added by these new claims. Claims 1-77 and 80-84 are pending. For at least the reasons presented below, Applicants submit that claims 1-77 and 80-84 are allowable. Applicants therefore request reconsideration and favorable action in this case.

Section 103 Rejections

Claims 1-37, 48-75 and 80-81 have been rejected under 35 U.S.C. 103(a) as being unpatentable over Brunetti et al. (6,507,278) (*Brunetti*) in view of Bruun et al. (6,471,039) (*Bruun*). Independent claims 1, 27, and 48 are currently amended. Applicants respectfully submit that *Brunetti* and *Bruun*, whether individually or in combination, fail to teach or suggest each and every element of the amended claims, and claims 1-37, 48-75 and 80-81 are allowable over these references.

Independent claim 1 is allowable over *Brunetti* and *Bruun*, at least because *Brunetti* and *Bruun* fail to disclose "a tray slide including a sidewall and a support surface, wherein the tray slide is operable to deliver a tray from the sterile area to a screening subject in the screening queue when the screening subject in the screening queue is in the non-sterile area." The Office Action cited the conveyor belt (element 24 of Fig. 2) in *Brunetti* as representing a tray slide comprising a sidewall and a support surface. Office Action at ¶ 4. The conveyor belt in *Brunetti*, however, is part of an entire screening unit which comprises an X-ray screening unit and the conveyor belt. See *Brunetti* at col. 6, lines 63-67; Fig. 2 (element 24 and 26). The tray slide in the present application, however, is distinguished from the screening unit as claim 1 recites both a "baggage scanner operable to detect contents of baggage items, wherein the baggage scanner includes a screening device and a conveyor operable to convey items from the non-sterile area through the screening device to the sterile area" and a "tray slide including a sidewall and a support surface." Thus, the conveyor belt as described in *Brunetti* is part of a

baggage scanner unit and is not a "tray slide including a sidewall and a support surface" as recited in claim 1. *Bruun* fails to overcome the deficiencies of *Brunetti* because it also does not disclose a tray slide including a sidewall and a support surface that is distinguishable from a baggage scanner.

Based on the foregoing, Applicants respectfully request reconsideration and allowance of claim 1 and all claims depending therefrom. Claims 27 and 48 include certain aspects analogous to claim 1, as amended. For similar reasons as above, Applicants respectfully request reconsideration and allowance of amended claims 27 and 48 and all claims depending therefrom.

CONCLUSION

Applicants have made an earnest attempt to place this case in condition for allowance. However, the absence of a reply to a specific rejection, issue, or comment does not signify agreement with or concession of that rejection, issue, or comment. In addition, because the arguments made above may not be exhaustive, there may be reasons for patentability of any or all pending claims (or other claims) that have not been expressed. Finally, nothing in this paper should be construed as an intent to concede any issue with regard to any claim, except as specifically stated in this paper, and the amendment of any claim does not necessarily signify concession of unpatentability of the claim prior to its amendment.

If the present application is not allowed and/or if one or more of the rejections is maintained, Applicants hereby request a telephone conference with the Examiner and further request that the Examiner contact the undersigned attorney to schedule the telephone conference.

Additional claims fees in the amount of \$156.00 (\$52.00 x 3) are being paid concurrently herewith on the Electronic Filing System (EFS) by way of Deposit Account No. 06-1050 authorization.

Also the RCE fees under 37 CFR §1.17(e) in the amount of \$810.00 are being paid concurrently herewith on the Electronic Filing System (EFS) by way of Deposit Account No. 06-1050 authorization. The Commissioner is hereby authorized to charge any other deficiencies or required fees or credits to Deposit Account 06-1050, referencing the attorney docket number shown above.

Applicant : Christian Paul Klein et al.
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Respectfully submitted,

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